

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

**LEIGH J. LEVENTIS and CHRISTOPHER
LEVENTIS,**

Plaintiffs,

v.

CASE NO. 3:09-cv-01561-JFA

**FIRST NATIONAL INSURANCE
COMPANY OF AMERICA,**

Defendant.

ORDER

**FIRST NATIONAL INSURANCE
COMPANY OF AMERICA,**

Counterclaim Plaintiff,

v.

**CHRISTOPHER LEVENTIS, CAROLINA CARE
PLAN, INC., MEDICAL MUTUAL OF OHIO,
PALMETTO HEALTH ASSOCIATES, P.A.,
RICHLAND COUNTY EMS, and PALMETTO
HEALTH EMERGENCY PHYSICIANS,**

Counterclaim Defendants.

**FIRST NATIONAL INSURANCE
COMPANY OF AMERICA,**

Third-Party Plaintiff,

v.

**LEIGH J. LEVENTIS and PALMETTO HEALTH
RICHLAND,**

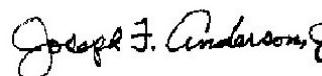
Third-Party Defendants.

This matter comes before the court on the motion of Third-Party Plaintiff First National Insurance Company of America (“First National”) to dismiss its contingent third-party claims against Third-Party Defendant Palmetto Health Richland (“Palmetto Health”) with prejudice pursuant to Rule 41(a)(2). As stated in the motion [Doc. 122], First National and Palmetto Health have resolved this claim to their mutual satisfaction through execution of a stipulation attached to First National’s motion as Exhibit A. Having reviewed the motion and the attached stipulation and having heard the oral presentations of counsel for First National and Palmetto Health at the motions hearing on June 11, 2010, the court grants First National’s motion to dismiss based on the representations of the parties in their stipulation, which is incorporated here by reference.

As a result, the motion to deposit funds filed on behalf of Palmetto Health [Doc. 104] is denied as moot.

IT IS SO ORDERED.

June 16, 2010
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge